



Docket No. MCN611CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Malcolm Scott et al.

Serial No.: 10/690,341

Art Unit: 1625

Filed : October 21, 2003

Examiner: E. Huang

For : ANTI-INFLAMMATORY COMPOUNDS

Commissioner of Patents  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

Your petitioner, Ortho-McNeil Pharmaceutical, Inc., a corporation of the State of New Jersey, having a registered office at 199 Grandview Road, Skillman, NJ 08558, represents that it is the Assignee of the entire right, title and interest in and to the subject matter disclosed in the above-captioned patent application by virtue of its being a continuation application of U.S. Serial No. 10/298,390 filed November 18, 2002, which in turn was a divisional application of U.S. Serial No. 10/041,423, filed January 8, 2002, now U.S. Patent No. 6,509,369, which in turn was a divisional application of U.S. Serial No. 09/221,254, filed December 28, 1998, now U.S. Patent No. 6,372,779. Ortho-McNeil Pharmaceutical, Inc. is the owner of U.S. Patents Nos. 6,509,369 and 6,372,779 as evidenced by the documents sent on January 8, 2002 for recording in the United States Patent and Trademark Office and recorded at Reel 012288/Frame 0310. Ortho-McNeil Pharmaceutical, Inc. is therefore also the owner of the above-captioned U.S. Patent Application Serial No. 10/690,341.

Your Petitioner, Ortho-McNeil Pharmaceutical, Inc. hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on application Serial No. 10/690,341 which would extend beyond the expiration date of U.S. Patents Nos. 6,372,779 and 6,509,369 and hereby agrees that any patent so granted on Serial No. 10/690,341 shall be enforceable only for and during such period that

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the legal title of said patent shall be the same as the legal title to U.S. Patents Nos. 6,372,779 and 6,509,369, this agreement to run with any patent granted on application Serial No. 10/690,341 and to be binding upon the grantee, its successors or assigns.

The Terminal Disclaimer fee and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/MCN611CON/ALC. Three copies of this sheet are enclosed.

Signed at New Brunswick, New Jersey this 19th day of May, 2005. The undersigned is attorney of record.

Respectfully submitted,  
Johnson & Johnson Consumer Companies, Inc.

/ William E. McGowan/

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William E. McGowan  
Assistant Secretary  
Reg. No.

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2792  
Date: May 19, 2005



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